

EXHIBIT 12
to Declaration of Jennifer Rae Lovko



Rae Lovko <rlovko@greenfirelaw.com>

Rethink - Scheduling Order

Rae Lovko <rlovko@greenfirelaw.com>

Wed, Jan 8, 2025 at 10:04 AM

To: Lisa Mitchell <lisa.mitchell@oag.texas.gov>, Ryan Bates <rbates@batespllc.com>

Cc: Rachel Dougherty <rdougherty@greenfirelaw.com>

Bcc: Rae Lovko <rlovko@greenfirelaw.com>

Thank you for meeting and conferring today. It appears that you will be able to finalize the administrative record on January 13, as addressed by the court's order. Thank you for your prompt attention to this matter.

As we discussed, plaintiffs understand that you may wish to file a motion to limit plaintiffs' use of an expert report (which will include references/documents relied upon by the expert in forming his opinions). It is plaintiffs' position that such a motion should not delay filing of the parties' cross-motions for summary judgment, especially in light of the fact that I informed you over two months ago that plaintiffs had retained Krish Vijayaraghavan as an expert. I also offered at that time to bring the issue before the court, if you desired; however, you chose not to do so.

At this time, I propose the following scheduling brief:

- February 14, 2025: Plaintiffs' Motion for Summary Judgment (limit of 40 pages, exclusive of the caption, the signature block, any certificate, and any accompanying documents)
- March 14, 2025: Defendants' combined Response to Plaintiffs' Motion and Cross-Motion for Summary Judgment (limit of 40 pages, exclusive of the caption, the signature block, any certificate, and any accompanying documents)
- April 4, 2025: Plaintiffs' combined Response to Defendants' Motion and Reply in support of their own Motion (limit 30 pages, exclusive of the caption, the signature block, any certificate, and any accompanying documents)
- April 25, 2025: Defendants' Reply (limit 20 pages, exclusive of the caption, the signature block, any certificate, and any accompanying documents)

Previously, you had agreed that Defendants' cross-motion and reply would not contain argument based upon plaintiffs' lack of standing. If this is incorrect, please let me know.

I look forward to your response and thoughts regarding the dates that plaintiffs propose -

Rae

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